

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§15–205.

(a) (1) Before any person conducts surface coal mining and reclamation operations, the person shall obtain the Committee's approval of the reclamation plan for the site.

(2) Notwithstanding any provision of the State Government Article, public notice on pending applications provided in accordance with the provisions of this subtitle shall be the only notice required by law.

(3) The Committee shall publish a public notice that it has received a proposed reclamation plan from the applicant.

(i) The public notice shall be published in a newspaper of general circulation in the county of the proposed mining and reclamation operation.

(ii) The public notice shall include the name of the applicant, the ownership of the land to be affected, a description of the location of the proposed operation, the location where the application is available for public inspection, and notice that written comments and requests for a public informational hearing will be received by the Committee for at least 30 days after the newspaper publication.

(4) If a hearing is requested, the Committee shall hold a public informational hearing on the proposed reclamation plan. The Committee shall notify the applicant and any person who requests a hearing of the date, time, and location of the hearing and shall publish the date, time, and location of the hearing in a newspaper of general circulation in the area of the proposed operation.

(5) Any public informational hearing shall be at least 15 but not more than 60 days after the Committee provides public notice of the hearing. Members of the public shall be provided an opportunity to comment on the proposed reclamation plan, in writing, until the date of any hearing.

(6) The Committee shall approve or reject the proposed reclamation plan. If a public informational hearing is requested, the Committee shall approve or reject the proposed reclamation plan after the hearing. If the proposed reclamation plan is rejected, the applicant shall be notified in writing of the reason for rejection or the Committee's suggested modifications. The applicant may resubmit the plan with corrections or the Committee's suggested modifications. If the changes are made, the Committee may approve the reclamation plan.

(7) The Committee shall notify the applicant, the Department, and any participants to a hearing, of its decision.

(b) The Committee shall determine that revegetation of reclaimed surface coal mined land meets the revegetation standards of the regulatory program before the Department may release any bond held to assure revegetation of the land.

(c) If the Committee has reason to believe that a violation of the subtitle, regulations, or permit conditions exists, the Committee shall notify the Department. The Department shall provide the Committee with a report that indicates the results of an inspection, or the reason why no action was taken.

[\[Previous\]](#)[\[Next\]](#)